

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

**VICTORIA JONES
508 AMALIE COURT
NASHVILLE, TN 37211**

**CASE NO. 3:17-bk-05779
CHAPTER 13
JUDGE HARRISON**

**Debtor:
SSN: XXX-XX-0707**

DEBTOR'S OBJECTION TO INLAND BANK & TRUST CLAIM # 5

Comes now the Debtor, by and through the undersigned counsel, and respectfully objects to the claim filed by INLAND BANK & TRUST, in the amount of \$12,642.77 and in support thereof would show the following:

1. Debtor filed a Chapter 13 Bankruptcy petition with this Court on August 24, 2017 and the plan was confirmed on October 13, 2017.
2. Debtor listed the Creditor on her bankruptcy plan as a Secured Creditor.
3. Creditor's secured claim has a balance due of \$7875.00.
4. Creditor's unsecured claim has a balance due of \$4537.88.
5. Debtor's objection is based on the belief that a portion of the debt will be satisfied by insurance proceeds in the amount of \$9,468.86.
6. Debtor's counsel has requested insurance proceeds be paid to the Chapter 13 in its entirety for disbursement.
7. Debtor Affidavit as to the foregoing is attached hereto.

WHEREFORE, Debtor prays that an Order be entered disallowing INLAND BANK & TRUST claim in the amount of \$9,468.86.

Respectfully Submitted,
/s/Mark Podis
Mark R. Podis, #012216
Attorney for Debtor

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IN RE:

**VICTORIA JONES
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THE DEADLINE FOR FILING A TIMELY RESPONSE IS: *May 3, 2019.*

IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: *May 15, 2019, 8:30 A.M., Court Room 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203.*

NOTICE OF DEBTORS MOTION TO OBJECT TO CLAIM #5 FILED BY INLAND BANK / INSOLVE AUTO FUNDING

The Debtor has asked the court for the following relief: **DEBTOR WISHES TO OBJECT TO A PORTION OF COURTS CLAIM #5 FILED BY INLAND BANK/ INSOLVE AUTO FUNDING.**

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before **May 3, 2019**, you or your attorney must:

1. File with the court your written response or objection explaining your position. Please note: The Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <<https://ecf.tnmb.uscourts.gov>>

If you need assistance with Electronic Filing, you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday – Friday, 8:00 A.M. – 4:00 P.M.)

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by viewing the case on the court's web site at <www.tnmb.uscourts.gov>.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: April 3, 2019

/s/ Mark Podis

Mark Podis #012216
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IN RE:

**VICTORIA DESHELIA JONES
508 AMALIE COURT
NASHVILLE TN 37211**

**CASE NO. 3:17-bk-05779
CHAPTER 13
JUDGE: HARRISON**

Debtor:

SSN: XXX-XX-0707

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

I, VICTORIA DESHELIA JONES, SSN: XXX-XX-0707, the undersigned affiant, do hereby attest that the facts and allegations contained in this Debtor's Objection to INLAND BANK & TRUST, (Creditor) claim in the total amount of approximately \$12,642.77 are true and correct to the best of her knowledge, information and belief that :

1. Creditor failed to amend their claim after insurance proceeds were paid.
2. Debtor avers the debt has been partially paid via insurance proceeds in the amount of \$9,468.86.

Further, affiant saith not.

Sworn to me on this 13th day of March 2019

/s/ Victoria Deshelia Jones

VICTORIA DESHELIA JONES,

On original in file

Notary Public

My Commission Expires: _____